



## **Help Shape Colorado's Notary Program Rules**

Topic: Notary Program Rules

March 2, 2018

### **What is this about?**

Secretary Williams is considering amendments to Colorado's Notary Program Rules (8 CCR 1505-11). The changes are intended to improve the administration and enforcement of and to answer questions arising under the newly adopted Revised Uniform Law on Notarial Acts (RULONA), which will go into effect July 1, 2018.<sup>1</sup>

The main goals of the proposed rulemaking are to:

- Revise rules to be consistent with RULONA.
- Amend definitions to include "Legal Proceeding or disciplinary action based on the applicant's or notary public's fraud, dishonesty, or deceit" and "Misdemeanor involving dishonesty".
- Repeal rules that have been codified in RULONA.
- Amend rules to require notaries to take a notary course and pass an exam in order to renew their commissions.
- Amend rules to indicate availability of the online notary training option on the Colorado Secretary of State's website.
- Amend rules to require the re-approval of vendor curriculum and training materials every four years.
- Amend rules to clarify the use of Document Authentication Numbers (DANs) with respect to e-notarizations.
- Amend rules to specify that a notary's firm or employer in possession of a notary journal has the same responsibility as a notary concerning that journal.

We invite you to share your thoughts and recommendations as we develop a preliminary draft of the proposed rules. Please review the attached working draft and proposals.

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<sup>1</sup> Article 21 of Title 24, Part 5, C.R.S.

**Why does the Secretary need my help?**

The Secretary values your feedback and we would very much like to hear your thoughts. We need your help to identify necessary revisions or additional guidance in order to propose a constructive and comprehensive draft rule for consideration during the rulemaking proceedings. Overall, we invite your opinions and recommendations to help shape Colorado's Notary Rules.

**How do I submit my comments and what is the deadline?**

You may email your comments to [SOS.Rulemaking@sos.state.co.us](mailto:SOS.Rulemaking@sos.state.co.us). To ensure consideration of your comments before we issue the proposed draft, we must receive your comments by 5:00 p.m. on March 9, 2018.

**Will my comments become part of the official record for the anticipated rulemaking?**

Yes, we will incorporate your comments into the official record when we commence with formal rulemaking. Our office will identify your comments as information received in anticipation of rulemaking to support the development of the proposed draft rule. Please note that you will have an additional opportunity to provide testimony and/or written comments regarding the proposed rule during the rulemaking proceeding.

To promote transparency and to help generate discussion, our office will post a copy of your comments on the Secretary of State's website. We appreciate privacy concerns and will redact apparent personal contact information from your comments prior to posting (including your home address, personal email address, and telephone number). To view the comments that we receive, please visit: [www.sos.state.co.us/pubs/rule\\_making/notaryRuleComments.html](http://www.sos.state.co.us/pubs/rule_making/notaryRuleComments.html).